Establishment of ARD

Comment: One commenter wanted to know, if a SNF can demonstrate that an ARD was determined on a document other than the MDS, whether the SNF could use such documentation to "set" the ARD in order to avoid payment at the default rate.

46434 Federal Register / Vol. 73, No. 154 / Friday, August 8, 2008 / Rules and Regulations *Response:* It is not acceptable to backdate an MDS or to use any documentation other than the MDS itself to establish the ARD.